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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,269	03/09/2006	Jerome Brunel	324-185	6094
23429 7590 06/16/2008 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
CUMMING, WILLIAM D				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
06/16/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/571,269

Applicant(s)

BRUNEL ET AL.

Examiner

WILLIAM D. CUMMING

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9 and 11-14 is/are rejected.
- 7) ☒ Claim(s) 3,7,8,10 and 15-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

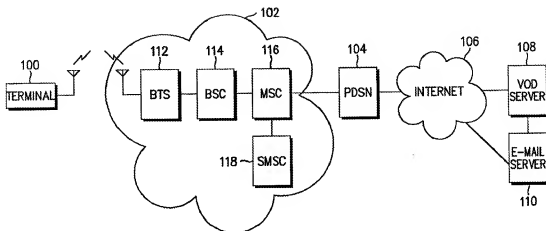
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

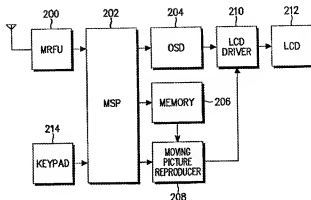
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-6, and 11-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kim, et al.

A system (figure 1) for access to multimedia files through a telecommunication network (#102) from a mobile radiotelephone terminal (#100) for which are intended messages. Each message including an address of the mobile terminal (#100) and a multimedia file transmitted by second terminal (*"One of the techniques of exchanging multimedia information between portable terminals is to automatically connect them to a predetermined server over the Internet wirelessly upon receipt of a periodical message or a particular message and download multimedia information. This technique is implemented by adapting such an application service as for a PC to a portable terminal. Therefore, the portable terminal needs a local memory for storing received multimedia data. A multimedia data file is usually several megabytes in length. To store this multimedia data file, a large capacity local memory is required, which a typical moving-picture terminal cannot afford. In addition, a multimedia transmission/reception service is needed aside from the general E-mail service"*).

**FIG. 1**

The system including a server (#108) for detecting a multimedia file in a message transmitted by said second terminal in order to extract therefrom the address of the mobile terminal (#100) and the detected multimedia file, to store the multimedia file extracted from the message in storage space (Abstract)



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FIG. 2

Notification means (#110) for transmitting a multimedia file storage notification to the mobile terminal (#100) identified by the address extracted from the message. ("Meanwhile, a multimedia E-mail according to the present invention is comprised of multimedia data and E-mail data as shown in FIG. 4A. The multimedia E-mail can be made using a bi-directional moving picture terminal with a camera, a PC with a camera, or a multimedia E-mail only generator. An example of a multimedia E-mail window for generating a multimedia E-mail in a PC is shown in FIG. 3. The multimedia E-mail window 300 includes a window 302 for entering the Internet address of the VOD server 108 to receive a multimedia E-mail, a window 304 that displays an image when the image is transmitted, a transmitter information window 306, a receiver information entering window 208, a content window 310, a subject window 312, and icons 314 to 318 with which to select record, reproduce, and transmit."

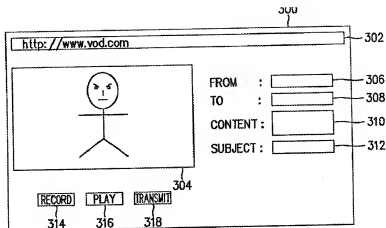
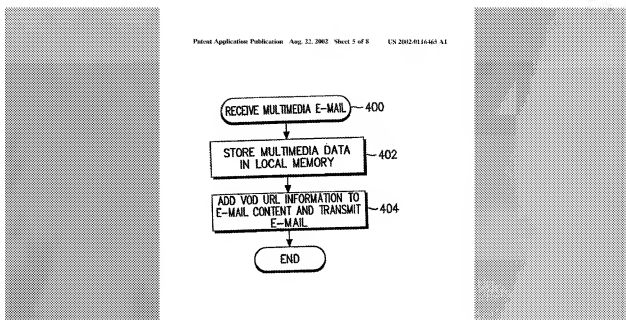


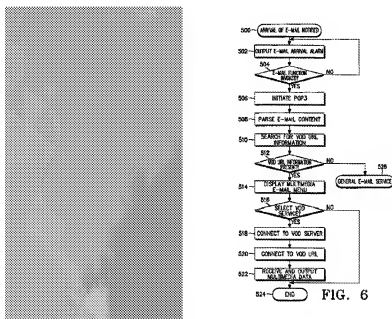
FIG. 3

The storage space being assigned to a user of the mobile terminal (#100) and being accessible to the mobile terminal (#100) through the server (#108) in order for the multimedia file extracted from the message to be stored in the storage means corresponding relationship with the address of the mobile terminal (#100) extracted from the message. ("The multimedia E-mail made using a PC or a portable terminal is transmitted to the VOD server 108 via the Internet 106. Then, the VOD server 108 stores only the multimedia data and transmits the E-mail data to the E-mail server 110.")



The mobile terminal (#100) accessing the stored multimedia file only if the server (#108) has recognized the address of the mobile terminal (#100) supplied after the setting up of a connection between the mobile terminal (#100) and the servers (#108, 110). ("FIG. 5 illustrates the operation of the VOD server 108. Upon receipt of the multimedia E-mail in step 400, the VOD server 108 stores the multimedia data of a multimedia E-mail in an internal local memory in step 402. In step 404, the VOD server 108 adds VOD URL (Uniform Resource Locator) information as a string of a predetermined format to an E-mail content and transmits the E-mail to the E-mail server 110. As described later, the VOD URL information is added to the E-mail content so that a receiving portable terminal can access data stored in the VOD server 108. Therefore, the URL information has a particular format indicating multimedia data. For example, if URL information is <http://wwwvodservice.com/index001/voddata.vod>, "http://" and

"vod" at the end indicate that the URL information is associated with multimedia data. Thus, the E-mail transmitted to the E-mail server 110 has additionally VOD URL information as shown in FIG. 4B."



Allowable Subject Matter

3. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).
4. Claims 3, 7, 8, 10, and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. If applicants wish to request for an interview, an "*Applicant Initiated Interview Request*" form (PTOL-413A) should be submitted to the examiner prior to the interview in order to permit the examiner to prepare in advance for the interview and to focus on the issues to be discussed. This form should identify the participants of the interview, the proposed date of the interview, whether the interview will be personal, telephonic, or video conference, and should include a brief description of the issues to be discussed. A copy of the completed "*Applicant Initiated Interview Request*" form should be attached to the Interview Summary form, PTOL-413 at the completion of the interview and a copy should be given to applicant or applicant's representative.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM D. CUMMING whose telephone number is 571-272-7861. The examiner can normally be reached on Tuesday- Friday, 11:00am-8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WILLIAM D CUMMING/
Primary Examiner
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